

REMARKS

Reconsideration of the present application is respectfully requested. Claims 1-18 and 22-27 have been withdrawn due to the restriction requirement mailed on 6/15/2006. Claims 19-21 have been amended. Claims 28-36 are newly added. No new matter has been added.

Claims 19 and 21 stand objected to due to informalities. Claims 19-21 stand rejected under 35 U.S.C. § 103(a) based on U.S. Patent no. 6,405,037 of Rossmann et al. ("Rossmann") in view of U.S. Patent no. 6,208,839 of Davani et al.

The objections to claims 19 and 21 are believed to be moot in view of the amendments to those claims.

Applicants respectfully traverse the prior art rejections. The amendments to the claims are made only to place the claims in what Applicants consider to be better form. The amendments are *not* made in response to the rejections or to comply with any statutory requirement of patentability, since no such amendments are believed to be necessary, for the reasons which follow.

Applicants respectfully traverse the rejection under 35 U.S.C. § 103(a), because Rossmann is not effective as prior art. Section 103(c) of 35 U.S.C. provides: "Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time

the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person."

Note that the present invention is a continuation of application no. 09/161,103, filed on September 25, 1998 (now abandoned), which is a continuation-in-part of U.S. Patent application no. 08/987,346, filed on December 9, 1997, now issued as U.S. Patent no. 6,065,120. Therefore, the present application is entitled to an effective filing date at least as early as September 25, 1998. Rossmann, however, was issued after that date, on June 11, 2002. Therefore, Rossmann could *only* be effective as prior art, if at all, under 35 U.S.C. § 103/102(e).

Further, at the time the present invention was made, the subject matter which the Examiner cites in Rossmann and the present invention were both assigned to, or subject to an obligation of assignment to, the same entity, namely Unwired Planet, Inc. The successor in interest of Unwired Planet, Inc. (due to a subsequent corporate name change and merger) is Openwave Systems Inc., which is the current assignee of both Rossmann and the present application. (On 4/19/1999, Unwired Planet Inc. changed its name to Phone.com Inc., and on 11/17/2000, Phone.com Inc. merged with another entity to form Openwave Systems Inc.)

Note that the assignments in the parent of the present application (application no. 09/161,103, now abandoned) also apply to any *continuations* of that application, and therefore, apply to the present application. Those assignments are recorded at

reel/frame nos. 9491/0044 and 012442/0705. Copies of the applicable Notices of Recordation are enclosed. The assignments of Rossmann and other documents relating to the chain of title of Rossmann are recorded at reel/frame nos. 8929/0568, 012475/0789 and 012428/0500 (copy of abstract of title enclosed).

Thus, at the time the present invention was made, the subject matter which the Examiner cites in Rossmann and the present invention were both assigned to, or subject to an obligation of assignment to, the same entity (Unwired Planet, Inc.). Therefore, Rossmann is not effective as prior art, due to the operation of 35 U.S.C. § 103(c). Therefore, any rejection under 35 U.S.C. § 103 based on Rossmann is improper as to the present application, and Applicants respectfully request that the present rejection be withdrawn.

#### Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: October 31, 2006

/Jordan M. Becker/  
Jordan M. Becker  
Reg. No. 39,602

Customer No. 08791  
12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025  
(408) 720-8300



55  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JANUARY 29, 1999

PTAS

JOE ZHENG  
800 CHESAPEAKE DRIVE  
REDWOOD CITY, CA 94063



\*100846377A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

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RECORDATION DATE: 09/25/1998

REEL/FRAME: 9491/0044  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SEET, SIEW SHON

DOC DATE: 09/25/1998

ASSIGNOR:

STEIN, LAWRENCE M.

DOC DATE: 09/25/1998

ASSIGNOR:

SMETHERS, PAUL A.

DOC DATE: 09/25/1998

ASSIGNEE:

UNWIRED PLANET, INC.  
800 CHESAPEAKE DRIVE  
REDWOOD CITY, CALIFORNIA 94063

SERIAL NUMBER: 09161103

PATENT NUMBER:

FILING DATE: 09/25/1998

ISSUE DATE:

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

# In the United States Patent and Trademark Office

Assistant Commissioner for Patents  
Washington, District of Columbia 20231

## RECORDATION COVER SHEET

Dear Sir:

Please record the attached original documents

1. Name of conveying party(ies):

**Siew Shon Seet, Lawrence M. Stein and Paul A. Smethers**

2. Name and address of receiving party(ies)

Name: **Unwired Planet, Inc.**

Address: **800 Chesapeake Drive  
Redwood City, CA 94063**

3. Nature of conveyance

**Assignment**

4. Application number(s) or patent number(s):

If this document is being filed with together with a new application, the execution date of the application is 9/25/98.

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Joe Zheng**

Address: **800 Chesapeake Drive  
Redwood City, CA 94063**

6. Total number of applications and patents involved:

**One**

7. Total fee (37 CFR 3.41)

**\$40.00**

8. Deposit account number:

**N/A**

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Joe Zheng  
Name of Person Signing

  
Signature

9/25/98  
Date

## Assignment

WHEREAS, we, **Siew Shon Seet**, a citizen of Malaysia, residing at 3750 Foxswallow Terrace, Fremont, CA 94555, USA; **Lawrence M. Stein**, a citizen of the United States, residing at 5475 Fern Drive, San Jose, CA 95124, USA; and **Paul A. Smethers**, a citizen of the United States, residing at 20869 Forge Way, #204, Cupertino, CA 95014, USA, have invented certain inventions and improvements disclosed in an application for Letters Patent entitled "Method and Apparatus for Bookmarking Telephone Numbers For Efficient Access by Wireless Phone Devices", executed by us on the 25th day of September, 1998, and about to be filed in the United States Patent and Trademark Office; and

WHEREAS, UNWIRED PLANET, INC., a corporation of the state of California having a principal place of business at 800 Chesapeake Drive, Redwood City, CA 94063, USA, is desirous of acquiring an interest in the same;

NOW, THEREFORE, for and in consideration of One Dollars (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which we hereby acknowledge, we, **Siew Shon Seet, Lawrence M. Stein and Paul A. Smethers**, by these presents do sell, assign and transfer unto UNWIRED PLANET, INC., the full, exclusive and entire right, title, and interest in and to said application, in and to any divisions, continuations and reissues thereof, and in and to all inventions and improvements disclosed and described in said application, preparatory to obtaining Letters Patent of the United States therefor; and we hereby request the Commissioner of Patent and Trademarks to issue any and all Letters Patent of the United States resulting from said application, or from a division, continuation, or reissues thereof, to UNWIRED PLANET, INC., as the assignee, for its interest and for the sole use and benefit of UNWIRED PLANET, INC, and its assigns and legal representatives;

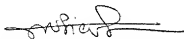
For the same consideration, we, by these presents do sell, assign, and transfer to UNWIRED PLANET, INC, the full, exclusive, and entire right, title and interest in and to any foreign application or applications corresponding to said application, in whole or in part, in countries other than the United States, in and to any Letters Patent and similar protective rights granted on said foreign applications, and in and to the right to claim any applicable priority arising from or required for said foreign applications under the terms of any applicable conventions, treaties, statutes, or regulations; said foreign applications to be filed and issues in the name of UNWIRED PLANET, INC, or its designee insofar as permitted by applicable law.

AND, for the same consideration, we agree to sign all lawful papers, execute all division, continuing, reissue and other applications, make all

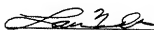


assignments and rightful oaths, and generally do everything possible to aid UNWIRED PLANET, INC., its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements in all countries throughout the world.

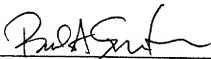
Executed this 25th day of Sept., 1998.



**Siew Shon Seet**



**Lawrence M. Stein**



**Paul A. Smethers**

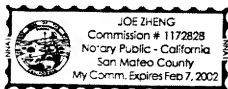
STATE OF CALIFORNIA }

COUNTY OF SAN MATEO }

On this 25th day of Sept., 1998 before me, Joe Zheng, Notary Public, personally appeared Siew Shon Seet, Lawrence M. Stein and Paul A. Smethers, personally known to me or proved to me on the basis of satisfactory evidence to the person(s), whose name(s) is(are) executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Seal:

  
SIGNATURE OF NOTARY PUBLIC

--end--



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

MARCH 05, 2002

BLAKELY, SOKOLOFF, TAYLOR & ZEMAN LLP  
12400 WILSHIRE BOULEVARD  
7TH FLOOR  
LOS ANGELES, CA 90025

RECEIVED  
MAR 12 2002

Chief Information Officer  
Washington, DC 20231  
www.uspto.gov



\*101943597A\*

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RECORDATION DATE: 01/07/2002

REEL/FRAME: 012442/0705  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

LAURSEN, ANDREW L.

DOC DATE: 12/03/2001

ASSIGNOR:

MARTIN, BRUCE K., JR.

DOC DATE: 11/29/2001

ASSIGNEE:

OPENWAVE SYSTEMS INC.  
1400 SEAPORT BOULEVARD  
#W4152  
REDWOOD CITY, CALIFORNIA 94063

SERIAL NUMBER: 09161103

FILING DATE: 09/25/1998  
ISSUE DATE:

PATENT NUMBER:

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

MRD 1-7-02

01-14-2002

JAN - 7 2002

FORM PTO-1595  
(Rev. 3-01)  
CMD NO. 0651-0011 exp. 5/31/2002)



101943597

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Andrew L. Laursen and Bruce K. Martin, Jr.

Additional name(s) of conveying party(ies) attached?

☒ No ☐ Yes

3. Nature of Conveyance

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other:

Execution Date(s): 12/3/2001 and 11/29/2001

2. Name and address of receiving party(ies):

Name: Openwave Systems Inc.

Internal Address: \_\_\_\_\_

Street Address: 1400 Seaport Boulevard, Office #W4152

City: Redwood City State/Province: California Zip: 94063

Country: US

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application Number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

09/161,103

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Customer No.: 26529

Name: Blakely, Sokoloff, Taylor & Zafman LLP

Internal Address: \_\_\_\_\_

Street Address: 12400 Wilshire Boulevard, 7<sup>th</sup> Floor

City: Los Angeles State: California Zip: 90025

6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41).....\$40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit Account Number:

02-2666

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and believe, the foregoing is true and correct and any attached copy is a true copy of the original document

Jordan M. Becker, Reg. No. 39,602

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner of Patents, Box Assignments  
Washington, D.C. 20231

Atty Docket No. 3399P015X

01/11/2002 TBIAXI 00000076 09161103

01 FC:581

40.00 GP

Attorney's Docket

**ASSIGNMENT**

PATENT

No.: 3399P015X (For Execution After Filing Patent Application)

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, We

the undersigned, Andrew L. Laursen and Bruce K. Martin, Jr.

hereby sell, assign, and transfer to Openwave Systems Inc.

a corporation of Delaware, having a principal place of business at 1400 Seaport Boulevard, Office #W4152, Redwood City, California 94063, ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title, and interest for the United States and all foreign countries, in and to any and all improvements that are disclosed in the application for the United States patent that was filed September 25, 1998 and assigned Application No. 09/181,103 and is entitled

Method and Apparatus for Bookmarking Telephone Numbers for Efficient Access By Wireless Phone Devices

and in and to said application and all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original patents, reissued patents, reexamination certificates, and extensions that have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application;

agree that said Assignee may apply for and receive a patent or patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally assist said Assignee, its successors, assigns, or representatives in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements, and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives; and

covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Each Inventor: Please Sign and Date Below:

Each Inventor: Please  
also list the date that you  
signed the accompanying  
DECLARATION AND  
POWER OF ATTORNEY:

12/3, 2001  
Date

Andrew L. Laursen  
Name: Andrew L. Laursen

\_\_\_\_\_, 20\_\_\_\_  
Date

State of: \_\_\_\_\_ }  
County of: \_\_\_\_\_ }

Assignment Document Return Address:  
SS. BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
12400 Wilshire Blvd., Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_,  
the undersigned Notary Public, personally appeared \_\_\_\_\_  
[ ] personally known to me [ ] proved to me on the basis of satisfactory evidence to be the  
person(s) whose name(s) \_\_\_\_\_ subscribed to the within instrument, and acknowledged  
that \_\_\_\_\_ executed it.  
WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature

Nov. 29, 2001  
Date

Bruce K. Martin, Jr.  
Name: Bruce K. Martin, Jr.

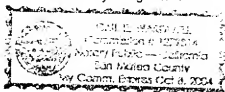
\_\_\_\_\_, 20\_\_\_\_  
Date

State of: California }  
County of: San Mateo }

Assignment Document Return Address:  
SS. BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
12400 Wilshire Blvd., Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300

On this 29th day of November, 2001, before me, Gail E Wardwell,  
the undersigned Notary Public, personally appeared Bruce K. Martin, Jr.  
[ ☒ ] personally known to me [ ] proved to me on the basis of satisfactory evidence to be the  
person(s) whose name(s) he subscribed to the within instrument, and acknowledged  
that he executed it.  
WITNESS my hand and official seal.

Gail E Wardwell  
Notary's Signature





CPW

1014

MARCH 20, 2002

PTAS

Chief Information Officer  
Washington, DC 20231  
www.uspto.gov

OPENWAVE SYSTEMS INC.  
ALAN D. MINSK  
1400 SEAPORT BOULEVARD  
REDWOOD CITY, CA 94063



\*101955022A\*

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RECORDATION DATE: 01/23/2002

REEL/FRAME: 012428/0500  
NUMBER OF PAGES: 7

BRIEF: MERGER/CHANGE OF NAME

ASSIGNOR:  
PHONE.COM, INC.

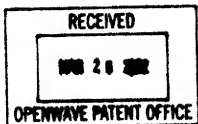
DOC DATE: 11/17/2000

ASSIGNEE:  
OPENWAVE SYSTEMS INC.  
1400 SEAPORT BOULEVARD  
REDWOOD CITY, CALIFORNIA 94063

SERIAL NUMBER: 08987346  
PATENT NUMBER: 6065120

FILING DATE: 12/09/1997  
ISSUE DATE: 05/16/2000

ANTIONE ROYALL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



01-23-2002

1-23-02  
ASSIGN



101955022

To: Honorable commissioner of Patents and Trademarks:

Please record the attached original document(s) or copy thereof.

1. Name of conveying party(ies)  
a) Phone.com, Inc.
2. Name and address of receiving party(ies):  
a) Name: Openwave Systems Inc.  
Address: 1400 Seaport Boulevard  
Redwood City, CA 94063
3. Nature of Conveyance  
☐ Assignment ☒ Merger and  
☐ Security Agreement ☒ Change of Name  
☐ Other \_\_\_\_\_ ☐ License Agreement

Date: November 17, 2000

4. Application Number(s) or Patent Number(s): 6,065,120

The title of the (new) Application is:

5. Please send all correspondence concerning this (these) documents to:

Alan D. Minsk  
Openwave Systems Inc.  
1400 Seaport Boulevard  
Redwood City, CA 94063  
Tel. No.: (650) 480-4211  
Fax. No.: (650) 480-4469

6. Total number of applications and patents involved: One

7. Total fee (37 CFR § 3.41): \$40.

☐ Enclosed  
☒ The Commissioner is authorized to charge the filing fees to our Deposit Account No.: 50-0516.

8. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Date: JAN. 24, 2002

Alan D. Minsk  
Registration No.: 35,956

01/24/2002 DAYTIME 00000007 500516 6065120  
01 FC:581 40.00 CH

1-23  
RECEIVED  
2002 JAN 23 PM 2:22  
ASSIGNMENT & RECORDS  
DIVISION

State of Delaware  
Office of the Secretary of State PAGE 1

*Name Change*

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"BRONZE MERGER SUB INC.", A DELAWARE CORPORATION,  
WITH AND INTO "PHONE.COM, INC." UNDER THE NAME OF "OPENWAVE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE SEVENTEENTH DAY OF NOVEMBER, A.D. 2000, AT 12:32 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Edward J. Freel*  
Edward J. Freel, Secretary of State

2460829 8100M

001579456

AUTHENTICATION: 0801357

DATE: 11-17-00



STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 12:32 PM 11/17/2000  
001579456 - 2460829

CERTIFICATE OF OWNERSHIP AND MERGER  
OF  
BRONZE MERGER SUB INC.  
INTO  
PHONE.COM, INC.

---

Pursuant to Section 253 of the General  
Corporation Law of the State of Delaware

---

Phone.com, Inc. (the "Corporation"), pursuant to Section 253 of the General Corporation Law of the State of Delaware (the "DGCL"), hereby certifies as follows:

FIRST: The Corporation is incorporated pursuant to the General Corporation Law of the State of Delaware.

SECOND: The Corporation owns 100% of the outstanding shares of each class of capital stock of Bronze Merger Sub Inc., a Delaware corporation (the "Subsidiary").

THIRD: The Board of Directors of the Corporation, by unanimous written consent dated November 16, 2000 pursuant to Section 141(f) of the DGCL, duly adopted resolutions authorizing the merger of the Subsidiary with and into the Corporation (the "Merger"). A true copy of such resolutions is attached hereto as Exhibit A. Such resolutions have not been modified or rescinded and are in full force and effect on the date hereof.

FOURTH: The Corporation shall be the surviving corporation of the Merger (the "Surviving Corporation").

FIFTH: As the effective time of the Merger the name of the Surviving Corporation shall be changed to Openwave Systems Inc.

SIXTH: The Merger shall become effective upon the filing of this Certificate of Ownership and Merger with the Secretary of State of the State of Delaware.

---

11/17/00

13:39

SKADDEN ARPS → CSR

NO. 961 98

IN WITNESS WHEREOF, Phone.com, Inc. has caused this Certificate of Ownership to be executed in its corporate name as of this 17th day of November, 2000.

PHONE.COM, INC.

By: /s/ Alan Black  
Alan Black  
Senior Vice President, Corporate Affairs,  
Chief Financial Officer and Treasurer

---

11/17/00

13:39

SKADDEN ARPS + CER

NO. 961 GB-

IN WITNESS WHEREOF, Phone.com, Inc. has caused this Certificate of Ownership to be executed in its corporate name as of this 17th day of November, 2000.

PHONE.COM, INC.

By: /s/ Alan Black

Alan Black  
Senior Vice President, Corporate Affairs,  
Chief Financial Officer and Treasurer

11/17/00

13:39

SKADDEN ARPS + CSR

NO.961 005

## EXHIBIT A

CONSENT IN LIEU OF MEETING  
OF  
THE BOARD OF DIRECTORS  
PHONE.COM, INC.

The undersigned, being all of the directors of Phone.com, Inc., a Delaware corporation (the "Corporation"), acting pursuant to Section 141(f) of the General Corporation Law of the State of Delaware, hereby adopt, by this written consent, the following resolutions and direct that this written consent be filed with the minutes of the proceedings of the Board of Directors of the Corporation.

RESOLVED, that the proper officers of the Corporation be, and each of them hereby is, authorized and directed to cause the formation of Bronco Merger Sub Inc. (the "Subsidiary"), as a wholly owned subsidiary of the Corporation under and pursuant to the laws of the State of Delaware; that the Subsidiary shall be merged with and into the Corporation (the "Merger") and the Corporation shall be the surviving corporation (the "Surviving Corporation") of the Merger; that in connection with the Merger the Surviving Corporation shall change its name to Openwave Systems Inc.; that, from and after the effective time of the Merger, the certificate of incorporation of the Corporation shall be the certificate of incorporation of the Surviving Corporation, the bylaws of the Corporation shall be the bylaws of the Surviving Corporation, the officers and directors of the Corporation shall be the officers and directors of the Surviving Corporation, the outstanding common stock and other securities of the Corporation shall remain outstanding as the common stock and other securities of the Surviving Corporation and the outstanding common stock of the Subsidiary shall be cancelled; that the proper officers of the Corporation be, and each of them hereby is, authorized and directed, in the name and on behalf of the Corporation, to prepare and execute a Certificate of Ownership and Merger and to cause such Certificate of Ownership and Merger to be filed with the Secretary of State of the State of Delaware pursuant to Sections 103 and 253 of the General Corporation Law of the State of Delaware; and that the merger shall be effective at the time stated in such Certificate of Ownership and Merger; and

FURTHER RESOLVED, that, upon the effectiveness of the Merger, the proper officers of the Corporation be, and each of them individually hereby is, authorized, empowered and directed to prepare or cause to be prepared a form of a certificate in evidence shares of common stock of the Corporation, par value \$0.001 per share ("Common Stock") reflecting the change in corporate name resulting from the Merger; that such form of Common Stock certificate shall be adopted, to the same extent thereof be affixed to these resolutions by the Secretary; that the proper officers of the Corporation be, and each of them individually hereby is, authorized, empowered and directed to execute such Common Stock certificates; that any and all signature on such Common Stock certificates may be facsimile signatures; and that in case any officer, transfer agent or registrar who has signed or whose facsimile signature has been placed

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upon such Common Stock certificates shall have ceased to be such officer, transfer agent or registrar before the issuance thereof, it may be issued by the Corporation with the same effect as if such person were such officer, transfer agent or registrar at the date of issue; and

**FURTHER RESOLVED**, that, upon the effectiveness of the Merger, the proper officers of the Corporation, be and each of them individually hereby is, authorized, empowered and directed to prepare or cause to be prepared a corporate seal, reflecting the change in corporate name resulting from the Merger; that such corporate seal shall be adopted, to the same extent as if presented to and adopted by the Board of Directors hereof, provided that an impression of such corporate seal be affixed to these resolutions by the Secretary; and

**FURTHER RESOLVED**, that the proper officers of the Corporation be, and each of them hereby is, authorized and directed to prepare, execute, deliver and file or cause to be prepared, executed, delivered and filed any and all documents and to take any and all actions with federal, state, local and foreign authorities and with the The Nasdaq Stock Market, Inc., as they or any of them may deem necessary or appropriate to effect the corporate name change and Merger contemplated by the foregoing resolutions and to carry out fully the purpose and intent of such resolutions; and

**FURTHER RESOLVED**, that the proper officers of the Corporation be, and each of them hereby is, authorized, empowered and directed, in the name and on behalf of the Corporation, to take all actions necessary to adopt and approve the proposed name change of Phone.com, Inc. to Openwave Systems Inc.; and

**FURTHER RESOLVED**, that all actions heretofore taken by any officer or director of the Corporation in connection with the matters contemplated by the foregoing resolutions be, and they hereby are, approved, adopted, ratified, confirmed and accepted in all respects.



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**Total Assignments: 2****Patent #:** [6405037](#) **Issue Dt:** 06/11/2002 **Application #:** 09199121 **Filing Dt:** 11/24/1998**Inventor:** ALAIN ROSSMANN**Title:** METHOD AND ARCHITECTURE FOR AN INTERACTIVE TWO-WAY DATA COMMUNICATION NETWORK**Assignment: 1****Reel/Frame:** [012728/0417](#)**Recorded:** 03/20/2002**Pages:** 3**Conveyance:** CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).**Assignor:** [UNWIRED PLANET, INC.](#)**Exec Dt:** 04/19/1999**Assignee:** [PHONE.COM, INC.](#)800 CHESAPEAKE DRIVE  
REDWOOD CITY, CALIFORNIA 94063**Correspondent:** BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLPJORDAN M. BECKER  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CALIFORNIA 90025**Assignment: 2****Reel/Frame:** [012749/0081](#)**Recorded:** 03/22/2002**Pages:** 6**Conveyance:** MERGER (SEE DOCUMENT FOR DETAILS).**Assignor:** [PHONE.COM, INC.](#)**Exec Dt:** 11/17/2000**Assignee:** [OPENWAVE SYSTEMS INC.](#)1400 SEAPORT BOULEVARD  
REDWOOD CITY, CALIFORNIA 94063**Correspondent:** BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLPJORDAN M. BECKER  
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